

### **DETAILED ACTION**

#### ***Continued Examination under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/17/2008 has been entered.

The "Orthogonal Watch Helix" (labeled for the submission as Exhibit A)" filed on 03/17/2008 under 37 CFR 1.131 is sufficient to overcome the Nishikido et al. reference.

#### ***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Crawford (Reg. No. 32,122) on 05/05/08.

The application has been amended as follows:

Claims 5, 14, are cancelled.

Claims 1, 6-10, are amended as follows:

1. (Currently amended)

A body-worn personal communications apparatus comprising:

A physically-short electric antenna that is physically smaller in at least one dimension than its electrical length in that same dimension;

A transceiver connected to said physically-short electric antenna;

A microphone connected to said transceiver; and

A casing having a width, a length and a height, said height being less than said width and less than said length,

Wherein said transceiver is disposed within said casing,

Wherein said physically-short electric antenna is mounted such that said one dimension of said physically short electric antenna is aligned with said height of said casing,

Wherein said physically short electric antenna is designed so as to not require manipulation by a user.

Wherein said a microphone is located at an end of said physically-short electric antenna, the end of said physically-short electric antenna being the end of antenna that is furthest from said casing.

6. (Currently amended) The apparatus of claim 1, wherein said physically-shortened electric antenna is formed from a coaxial cable that provides electrical connections between said microphone and said transceiver.

7. (Currently amended) The apparatus of claim 1, wherein said physically-shortened electric antenna is formed from a hollow wire, wherein a first electrical connection between said microphone and said transceiver is provided by said hollow wire, and wherein a second electrical connection between said microphone and said transceiver is provided by a conductor enclosed by said hollow wire.

8. (Currently amended) The apparatus of claim 1, wherein said microphone provides a low impedance at radio frequencies to thereby enable said coaxial cable forming said physically-shortened electric antenna to act as an inductive stub.

9. (Currently amended) The apparatus of claim 1, wherein said microphone provides a top loading to said physically-shortened electric antenna.

10. (Currently amended)

A body-worn personal communications apparatus comprising:

A casing having a width, a length and a height, said height being less than said width and less than said length;

A physically-short electric antenna that is physically smaller in at least one dimension than its electrical length in that same dimension; and

A microphone connected to said transceiver; and

Wherein said physically-short electric antenna is mounted such that said one dimension of said physically short electric antenna is aligned with said height of said casing, Wherein said physically short electric antenna is designed so as to not require manipulation by a user.

Wherein said a microphone is located at an end of said physically-short electric antenna, the end of said physically-short electric antenna being the end of antenna that is furthest from said casing.

#### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

Claims 4-5, 13-14, are cancelled.

Claims 1-3, 6-12 and 15-18 (renumbered as 1-14 respectively) are patentable.

#### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000 or

[EBC@uspto.gov](mailto:EBC@uspto.gov).

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